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| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/080,786 | HANNA ET AL. | |
| | Examiner | Art Unit | |
| | Christopher R. Magee | 2653 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment, dated 12/17/2004.
2. ☒ The allowed claim(s) is/are 1,3,5,7,9,11,12,14,15,17 and 18.
3. ☒ The drawings filed on 22 February 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Amendment

1. The reply filed 12/17/2004 was applied to the following effect: All relevant objections and rejections are withdrawn as being satisfied.

Allowable Subject Matter

2. Claims 1, 3, 5, 7, 9, 11, 12, 14, 15, 17 and 18 are allowed (renumbered as 1-11, respectively).

The following is an examiner's statement of reasons for allowance:

This application is for a SUSPENSION DESIGN FOR ATTENUATION OF DISK FLUTTER INDUCED TRACK MISREGISTRATION OF A HARD DISK DRIVE BY MANIPULATION OF LOAD BEAM PITCH ANGLE.

- **Claims 1, 3, 5 and 7** specify a load beam assembly, which requires:

"at least a portion of the load beam feature defining a formed dimple and an extension that extends from the formed dimple"

Boutaghou (US 6,359,758) teaches at least a portion of the load beam feature defining an extension [31] that is parallel to the pivot axis and that has a rectangular cross-section having a length to width aspect ratio that is greater than 1 [Fig. 3]. However, Boutaghou does not teach or suggest at least a portion of the load beam feature defining a formed dimple and an extension that extends from the formed dimple as claimed in the present invention.

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Therefore, these features, in combination with other features of claims 1, 3, 5 and 7 are not anticipated by, nor made obvious over, the closest prior art of record of Boutaghou (US 6,359,758).

- **Claims 9, 12 and 15** specify a load beam assembly, which requires:

“the first surface of the passive spacer is separated from the second surface of the passive spacer by at least 0.02 mm.”

Kudo et al. (hereinafter Kudo) (US 5,907,457) teaches a passive spacer [20] defining a first surface that is coupled to the gimbal [23] and a second surface that faces away from the first surface. However, Kudo does not teach or suggest the first surface of the passive spacer is separated from the second surface of the passive spacer by at least 0.02 mm as claimed in the present invention.

Therefore, these features, in combination with other features of claims 9, 12 and 15 are not anticipated by, nor made obvious over, the closest prior art of record of Kudo et al. (US 5,907,457).

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

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Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Magee whose telephone number is (571) 272-7592. The examiner can normally be reached on M-F, 8: 00 am-5: 30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3/21/2005


Christopher R. Magee
Patent Examiner
Art Unit 2653

CRM

A. J. HEINZ
PRIMARY EXAMINER
GROUP ~~2500~~ A.U. 2653

